

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Wind Turbine Industries Corp.,

Civil No. 09-36 MJD/SRN

Plaintiff,

v.

Jacobs Wind Electric Company, Inc.,

PRETRIAL SCHEDULING ORDER

Defendant.

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court as amended effective November 1, 1996, and in order to secure the just, speedy, and inexpensive determination of this action, the following schedule shall govern this proceeding. The schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

Discovery Plan

1. **Discovery shall be commenced in time to be completed by February 1, 2010.**
2. Disclosure of the identity of expert witnesses under Rule 26(a)(2)(A) shall be made as follows:
 - a. Initial experts on or before November 1, 2009.
 - b. Rebuttal experts on or before December 1, 2009.
3. Full disclosure of expert testimony, required by Rule 26(a)(2)(B), accompanied by the written report prepared and signed by the expert witness, shall be made on or before January 2, 2010.
4. No more than 25 interrogatories [counted in accordance with Fed. R. Civ. P. 33(a)] shall be served by any party.
5. No more than 6 depositions, excluding expert witness depositions, shall be taken by any party.

Non-Dispositive Motions

(Non-dispositive motions may be scheduled for hearing by calling Beverly Riches, Calendar Clerk, 612-664-5490.)

1. All motions which seek to amend the pleadings or add parties must be served by August 1, 2009. This deadline does not apply to motions which seek to amend the complaint to add a claim for punitive damages. Such motions must be brought on or before the non-dispositive motion deadline.
2. All other non-dispositive motions and supporting documents, including those which relate to discovery, shall be served and filed by February 1, 2010.
3. All non-dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rules 7.1, 37.1, and 37.2.

Dispositive Motions

1. All dispositive motions shall be served and filed by April 1, 2010. (Counsel may schedule dispositive motions by calling Calendar Clerk Kristine Wegner at 612-664-5073.)
2. All dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rule 7.1.

Trial

This case shall be ready for trial (**JURY**) on July 1, 2010, or upon resolution of any pending dispositive motions. Anticipated length of trial is 8 days.

Dated: May 14, 2009

s/ Susan Richard Nelson
SUSAN RICHARD NELSON
United States Magistrate Judge